

NTIA Comments

In response to Request for comment, below are not one to one question/response, but very relevant to combination of multiple questions.

1. AI should be off-limits in some areas

Human society should be governed by human, such as government, legislature, court, judicial process, they may use AI, but the decision making part should not be by AI.

AI algorithm can be very efficient to increase GDP if used to generate government policy, but that would very likely be at the cost of marginalized people.

Human run government is not efficient — case in point, congress couldn't get agreement on a lot of agendas, they came from different background, representing different districts of people with different political opinions, religious beliefs and moral compass. **But this is the essence of democracy, that is not something AI should do.**

The same reason with judicial process, human jury selection and participation. Though technically, an AI (large language model) could read prosecute/defense case files, and compare it with the law to declare “guilty” or not.

School counselors should not be replaced by AI, a properly trained and certified professional is more effective to interact with youths, with human attention and human touch. *This is also to prevent AI shaping up kids' mindset with whatever the ideology of AI creators have, or even unpredictable/irrational views generated from AI algorithms.*

There are other areas, I'd leave these for debate, for example, some AI based mental health products are coming.

2. Transparency on AI contents

AI generated contents must be labeled as such, in major (print and social) media

Given the advancement of generative AI, we could see tremendous increase in AI generated contents, with commercial and political incentives to bombard the media with product (mis)information, or political agenda - *assuming political campaign is not off-limit (above 1)*, among others.

If Today's social media content moderation is difficult, it would be impossible when AI generated contents started to flood into the stream.

This is also to make sure that, Today's human creative writers can continue contribute to our society; instead of pushing them out with AI generated children's books, and potentially brainwash the entire generation. Here is how easy to create a children's book with AI.

Policy makers should mandate labeling requirement from the content publishing party, much like other product labeling laws.

The definition of AI contents should be any content initially generated from AI, even they have been modified/edited – they are not original.

Disclosure of the algorithms and explanation on the generated answers

The incentive of creating AI to persuade people to buy a product, vote for a candidate, will drive the direction of AI algorithms.

In case of chatbot, the conversation will be persuasive, this is likely achieved by providing favorable, but less truthful information. With rapid optimization of the algorithm, persuasion can turn into coax, and eventually mind-control.

The disclosure should clearly indicate how truthful/reliable the statement is, and the process to reach this conclusion. Below is a hypothetical chatbot statement and its disclosure:

Hey Steve, based on your condition, you should use XX company Vitamin-Y cigarette - a dietary supplement. It will boost your energy level, keep you alert and avoid life-threatening accidents in your daily hour-long commute.

Disclosure: *Above statement is generated by AI. The algorithm did not find any product information from company XX, so it gathered other companies' Vitamin Y information, and hallucinated the above answer, mixed in with some scare tactics.*

Note:

1. I have seen cases that AI could not find answer *with all matching conditions*, so take the partial condition match, and come back with a (incorrect) answer.
2. An over-simplified explanation, if a user asks a question with 5 underlining conditions, if the machine can only find 3 conditions, it will give answer from these 3 conditions, with 60% "confidence level". Most systems will present the answer in a persuasive manner, without disclosing internal algorithm confidence level.

3. Audit and accountability

Government

Government should present high level guidance on the social and economic impact, and it's up to third-party auditors to define the detailed criteria, test them and certify that the product meet the policy requirement.

The policy may evolve over time, as the technology evolves, new policy can put in place after new discovery, it's a natural progression.

Private funded third-party auditors

Much like private funded financial audit (SEC), the auditors should not be affiliated to AI vendors, though it could be paid by vendors.

AI is new with technology continue evolving, a lot of grey areas to research and explore, it would require domain expertise to properly perform auditing tasks. Private sectors can attract and recruit top talents, much like top talents in Deloitte, Ernst & Young for financial audit.

AI vendors

Vendors should self-examine, and disclose potential harms with auditors, if not public because of proprietary information, and discuss remedy to meet the policy requirement.

Initial phase, without third-party auditors, AI vendors can self-test to confirm the compliance of government guidelines.